

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

DAVID JONES SEAFOOD, INC.,

Debtor.

Bankruptcy Case No.: 01-01422-B,  
Chapter 7

TO: All Creditors and Parties in Interest

**NOTICE AND APPLICATION FOR SALE OF ASSETS  
FREE AND CLEAR OF LIENS**

YOU ARE HEREBY NOTIFIED that the Trustee in this case proposes to sell the property herein described according to the terms and conditions stated below.

TAKE FURTHER NOTICE that any response, return and/or objection to this application, should be filed with the Clerk of the Bankruptcy Court no later than twenty (20) days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on **February 14, 2002 at 1:30 p.m.**, at the United States Bankruptcy Court, 145 King Street, Suite 225, Charleston, South Carolina. No further notice of this hearing will be given.

TYPE OF SALE: Private sale.

PROPERTY TO BE SOLD: See Exhibit "A" attached hereto and incorporated herein by reference.

**NOTICE: THE TRUSTEE IS SELLING THE ABOVE-REFERENCED PROPERTY "AS IS," WITH NO WARRANTIES WHATSOEVER. THE BUYER AGREES TO RECEIVE THE PROPERTY WITH ALL FAULTS. THE TRUSTEE MAKES NO WARRANTY, EXPRESS OR IMPLIED, REGARDING THE PROPERTY, AND SPECIFICALLY EXCLUDES ANY IMPLIED WARRANTY OF MERCHANTABILITY AND ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR USE. PROPERTY TO BE CONVEYED BY QUIT CLAIM DEED.**

**THE BUYER HAS BEEN GIVEN THE OPPORTUNITY TO EXAMINE THE PROPERTY BEFORE SIGNING ANY CONTRACT OR SUBMITTING A BID TO PURCHASE THE PROPERTY, AND TO PERFORM SUCH TESTING, IF APPLICABLE, TO DETECT POSSIBLE LATENT DEFECTS.**

PRICE: TOTAL: \$3,550.00 (For breakdown on each item see Exhibit "A" attached hereto) In addition to the purchase price, the Buyer is incurring all costs related to moving the items estimated to be \$2,500.00.

APPRAISAL VALUE: \$6,425.00 per Trustee's Appraiser:

BUYER: M.W. Watts  
Post Office Box 39  
Concord, NC 28026

(The Buyer does not have any known adverse interest to this case or any parties involved in the case, including the Chapter 7 Trustee and the U.S. Trustee's office. The Buyer is not related to the Debtor

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PLACE, DATE AND TIME OF SALE: This sale shall take place within ten (10) days following the entry of the Order Approving the Sale by the U. S. Bankruptcy Court at a date, place and time to be agreed upon by the parties.

SALES AGENT/AUCTIONEER/BROKER/ETC.: None.

COMPENSATION TO SALES AGENT/AUCTIONEER/BROKER/ETC.: None.

EXPENSES OF SALE: None.

COMPENSATION TO TRUSTEE ON SALE: Reasonable compensation to be determined by the Court (but not to exceed the limits set in 11 U.S.C. §326(a), estimated to be \$887.50.

LIEN(S) ENCUMBERING PROPERTY: No known liens.

DEBTORS' EXEMPTION: -0-

PROCEEDS ESTIMATED TO BE PAID TO ESTATE: \$3,550.00

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by private sale. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this application.

**Applicant requests that the ten (10) day stay pursuant to Fed.R.Bankr.P. 6004(g) be waived in this matter and that upon the entry of the Order the Trustee be allowed to immediately enforce and implement the terms of said Order.**

The court may consider additional offers at any hearing held on this notice and application for sale. The court may order at any hearing that the property be sold to another party on equivalent or more favorable terms.

The trustee or debtor in possession, as applicable, may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

WHEREFORE, applicant requests the court issue an order authorizing sale of said property and such other and further relief as may be proper.

MT. PLEASANT, SOUTH CAROLINA

14 day of January, 2002.

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KEVIN CAMPBELL, Trustee  
Post Office Box 684  
Mt. Pleasant, South Carolina 29465  
(843) 884-6874 / 884-0997 (fax)  
District Court I.D. 30

	Description:	VIN #:	Price:
1)	1982 Great Dane Trailer (T10)	1GRBR8127CSO7481	\$300.00
2)	1985 Frauhuf Trailer (T158)	1HSR04822FM022503	\$ 350.00
3)	1973 Great Dane Trailer (T96)	820721	\$ 300.00
4)	1981 Great Dane Trailer (T140)	1GRBE862008 (05731)	\$ 300.00
5)	1982 Utility	1YLV5245ZCT761704	\$ 200.00
6)	1983 Kenworth Truck (T152)	1XKWDB9XXDX313095	\$ 300.00
7)	1984 Utility Trailer (T146) - Damaged -	1YUVS245XET067701	\$ 100.00
8)	1990 Peterbilt Truck (T175)	1XPJTDB9X9LN300731	\$ 500.00
9)	1991 Freightliner Truck (T200)	1FUY7DYBOMH386611	\$ 550.00
10)	1996 Thermo King Trailer w/Reefer (T200) 03688M1849		\$ 650.00
		Total Price:	<u>\$3,550.00</u>

EXHIBIT "A"